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April 11, 2022

VIA ECF

Honorable Vera M. Scanlon
United States Magistrate Judge
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

RE: *Elky Ogorek-Wilner, et.al. v. Red Clay Norse, LLC, et.al.*
CV-20-1259 (ARR)(VMS)

Honorable Madam:

This firm represents plaintiffs in the referenced action.

This is a follow-up to my correspondence to the Court of April 7, 2022.

I reported in my prior letter that the Court had issued a restitution award in the sum of \$65 Million. This statement is erroneous. The award discussed in my letter was apparently only a forfeiture award.

I received an email today from the United States Department of Justice, Victims Notification System (copy enclosed) advising me that “[t]he Restitution Hearing date will be set prior to 6/30/2022.”

Consequently, we are not yet in a position to know the amount of a restitution award, and request that the Court defer further action until this sum is known.

I am also in receipt of correspondence from John Roberts, the attorney for Shira Levine. Ms. Levine was sued as a relief defendant. Paragraph 14 of the amended complaint states “Defendant Shira Levine is only named herein as a Relief Defendant because she was the recipient of the improperly received funds converted and absconded with by Defendant Seth Levine.”

Ms. Levine was personally served with process on June 16, 2020. She neither requested a pre-motion conference nor answered either the complaint or amended complaint, and her time to do so has long passed.

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However, in light of the advise from the Department of Justice, I am requesting that any further action be put on hold until after we are in a position to know the sum of any restitution award.

Most Respectfully Yours,



JONATHAN A. STEIN

JAS:rf
cc: All counsel by ecf